

Application S/N: 10/699,779  
Docket No. P03344-USDIV  
CLO.002DIV

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### **REMARKS**

It is noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 5-20, 27-31, 34, and 35 are all of the claims pending in the present Application. Claims 5-20, 27-30, 34 and 35 are allowed. Claims 31-33 stand rejected under 35 USC §102(b) as anticipated by US Patent 5,905,418 to Ehara et al. Cancellation of claims 32 and 33 renders this rejection moot for these two claims.

This rejection is respectfully traversed in view of the following discussion.

### **I. THE CLAIMED INVENTION**

As described and claimed, for example, by independent claim 31, the present invention is directed to an SAW device including two SAW elements which are mounted on said SAW device and which have center frequencies different from each other. At least one of the two SAW elements comprises a branching filter comprising a SAW element comprising a first wiring portion formed between input and output terminals, a plurality of second wiring portions formed between the first wiring portion and a reference potential terminal, and at least two single unit elements.

Each of the single unit elements include a first SAW resonator which is located in the first wiring portion and which has a predetermined resonant frequency and a predetermined anti-resonant frequency, a second SAW resonator which is connected to the second wiring portion of the side of the input terminal of the first SAW resonator and which has an anti-resonant frequency corresponding with the predetermined resonant frequency of the first SAW resonator, a third SAW resonator which is connected to the second wiring portion of the side of the output terminal of the first SAW resonator and which has an anti-resonant frequency corresponding with the predetermined resonant frequency of the first SAW resonator, a first connection point for connecting the second SAW resonator of the side of the reference potential terminal and the third SAW resonator of the side of the reference potential terminal with each other, and a first inductance element which is located between the first connection point and the reference potential terminal.

The respective predetermined resonant frequency of each of the single unit elements is corresponding with each other and the predetermined resonant frequency of the single unit

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element comprises an electrostatic capacitance of the first SAW resonator, the second SAW resonator, and the first inductance unit.

## II. THE PRIOR ART REJECTION

The Examiner alleges that claims 31 is anticipated by Ehara. Applicant respectfully disagrees.

Applicant submits that in the present invention, a resonance other than resonant frequency of the SAW device is a technical feature that is not disclosed by Ehara. A resonant frequency of the single unit element is completely different from a resonant frequency of the first or second SAW device. Namely, a resonant frequency of the single unit element comprises the electrostatic capacitance of a first SAW, a second SAW, and a first inductance element.

Use of two resonances ( a resonant frequency of the single unit element and a resonant frequency of the SAW device in itself) is a significant component of claim 31.

As explained in the previous Amendment, the present invention includes the concept that the resonant frequency of the present invention is defined as a resonant frequency due to resonance generated responsive to electrostatic capacitance and inductance of the SAW resonator in the single unit element, which is a different concept from resonance/anti-resonance of the SAW resonator as an entire unit.

That is, the resonant frequency of the present invention is defined as a resonant frequency due to the third resonance generated responsive to electrostatic capacitance and inductance of the SAW resonator in the single unit element, differently from resonance/anti-resonance of the SAW resonator. Resonance/anti-resonance of a SAW resonator are generated by piezoelectric effects, while the third resonance is electrically generated by electrostatic capacitance and inductance in the single unit element. The use of two resonators thus defined is significant as a component in this claim.

In the exemplary embodiment shown in Figure 8, this feature of using the single unit elements as modules coupled together to form the device is demonstrated as using the single units to connect directly to the input and output terminals. In contrast, Figure 25 of Ehara shows the input terminal connected to the resonator 112. Therefore, Ehara, if it is considered as having design modules, has modules that have two resonators in the first wiring portion.

Hence, turning to the clear language of the claim, in Ehara there is no teaching or

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suggestion of: "... the predetermined resonant frequency of the single unit element comprises an electrostatic capacitance of the first SAW resonator, the second SAW resonator, and the first inductance unit", as required by claim 31.

For the reasons stated above, the claimed invention is fully patentable over the cited references.

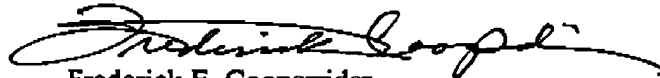
### III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 5-20, 27-31, 34, and 35, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,



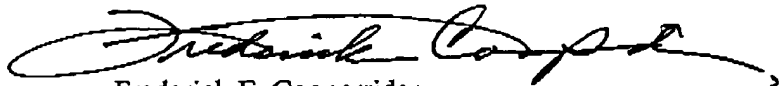
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### CERTIFICATION OF TRANSMISSION

I certify that I transmitted via facsimile to (571) 273-8300\1771 this Amendment under 37 CFR §1.116 to Examiner B. Summons on May 9, 2006.



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